IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33332 of 2008
TEJ PRATAP SINGH, SON OF LATE RAM LOCHAN SINGH,
RESIDENT OF VILLAGE-RANIPUR, P.S.-PHULWARISHARIF,
DISTRICT-PATNA.
Versus
THE STATE OF BIHAR
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3 23.10.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Case is under Sections 39, 44 and 135 of the Electricity Act. It is alleged that the petitioner was running a Paddy Houler Machine in his premises by taking illegal connection of the Electricity from the nearby pole. On raid, motor was seized.

Learned counsel for the petitioner submits that the petitioner has a regular connection of Electricity at his premises and Electricity charges are regularly paid by him. It is also stated that the motor which was seized, was an old motor and was not in working condition. Motor was not checked by the authority of the Electricity Board as to whether it was in working condition or not. It is said that the loss caused to the Electricity has been assessed only on imagination. There is no material to show as to during what period the petitioner was

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running his Hauler Machine with illegal Electric connection. Petitioner is in custody since 25.3.2008. It is submitted by learned counsel for the petitioner that there is no other case under the Electricity Act against the petitioner from before.

In the facts and circumstances placed by learned counsel for the petitioner as noticed above, this application is allowed. Let petitioner, namely, Tej Pratap Singh be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Phulwarisharif P.S. Case No. 118 of 2008.

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Arvind/ **(J. N. Singh , J.)**